



STATE BOARD OF ELECTIONS

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NC Utilizes Instant Runoff Voting in Judicial Contests

Raleigh -- North Carolina voters will select a Court of Appeals Judge by Instant Runoff Voting (IRV) on November 2, 2010. Also, IRV will be used to select three Superior Court Judges in Buncombe, Cumberland, and Rowan Counties.

This method of voting combines the Primary and Election Day into one election. Voters select their 1st choice for IRV contests like every other contest on the ballot, but they also rank their 2nd or 3rd choices in the event the initial results do not produce a majority winner who received more than 50% of the votes cast.

N. C. General Statute § 163-329 directs the State Board of Elections to conduct Instant Runoff Voting if a vacancy is created in the appellate judicial offices under certain conditions. Retirement by three Superior Court Judges in Buncombe, Cumberland, and Rowan Counties created vacancies which activated the IRV provisions of this statute for those counties. In August, the resignation by Judge James A. Wynn, Jr. from the NC Court of Appeals to accept an appointment to the U.S. Court of Appeals, Fourth Circuit occurred during the prescribed timeframe for IRV to be used as the voting method for this statewide contest.

In IRV elections, voters select their first choice for an office as they have done in previous elections. Additionally, voters may select their second and third choices. The voters' first choices are tallied and are reported unofficially on Election Night. If a candidate gets enough first choice votes to win, more than 50% of votes cast, s/he is certified as the winner at Canvass and no further counting is necessary. If no candidate receives enough first choice votes to reach the majority threshold (more than 50%), the top two candidates move to the instant runoff. The winner is determined by adding the highest ranked second or third choice vote to his/her initial vote totals. The candidate with the most votes in the second round wins the election. If a voter's first choice candidate is not in the runoff, a second choice vote for either of the two runoff candidates will be counted. Third choice votes for either runoff candidate will be counted only if the voter's first or second choice candidate is not in the runoff. After all counting is concluded, the candidate with the most first and second round total votes wins the election.

For more information, please contact the North Carolina State Board of Elections by phone, 1-866-522-4723 or 919-733-7173, visit the State elections website, www.sboe.state.nc.us, or contact your county board of elections.

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